

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – Panchayat Raj Department – Allegation of Corruption against Sri N. Hanuma Naik, S/o. Sri N. Lokya Naik, aged 40 years, Mandal Engineering Officer, O/o. MPDO, Parigi Mandal, Ananthapur District – Trapped on 17.02.2011 – Sanction of Prosecution under the Prevention of Corruption Act – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG. II) DEPARTMENT

G.O. Ms. No. 271

Date: 22-05-2013

Read the following:-

1. From the DG, ACB, AP, Hyderabad C. No. 40/RCT-ATP/2011-S14, Dt. 24.02.2011
2. From the DG, ACB, AP, Hyderabad C. No. 40/RCT-ATP/2011-S14, Dt. 11.12.2012

ORDER:

Whereas, Sri N. Hanuma Naik, S/o. Sri N. Lokya Naik, aged 40 years worked as Mandal Engineering Officer in the O/o. MPDO, Parigi Mandal, Anantapur District, from 25.03.2010 to 17.02.2011 and as such by the virtue of the post held by him, he falls under the category of Public Servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Act No. 49 of 1988)

2. And whereas, it was alleged that on 17.02.2011 at 10.00 hours, the complainant, Sri H.M. Maddileti, S/o. Sri M. Narasimhappa, aged 48 years, Contractor, R/o. Parigi Village & Mandal, Anantapur District, came to the office of the Deputy Superintending of Police, A.C.B., Anantapur Range, Anantapur and gave a Telugu written complaint against Sri N. Hanuma Naik, Mandal Engineering Officer, O/o. M.P.D.O., Parigi Mandal, Anantapur District. In his complaint, he stated that he was living by doing civil contractors for the last 10 years in Parigi Village of Ananthapur district. As part of his contract works, he obtained the contract work pertaining to the renovation of Library Building at Parigi in September, 2010. He signed an agreement pertaining to the work with M.P.D.O., Parigi on 18.10.2010. Rs. 2,00,000/- was fixed as the estimate cost of those works. He started the renovation work of the library building sanctioned under BRGF Scheme in September, 2010 and completed it in October, 2010. As part of the renovation work, he completed slab work of the library, repairs of windows and doors, painting and white washing etc. Since the completion of library renovation work, he had been asking the Mandal Engineer, Sri Hanuma Naik to get the bill pertaining to the said work passed and Sri Hanuma Naik kept on telling him that he would note down the works in the M. Book. As already two months passed after completion of the work, he pleaded the Mandal Engineer, Sri Hanuma Naik in January, 2011 for getting his bill passed for which he

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demanding him a bribe of Rs. 10,000/- for noting down the works in the M. Book and getting the bill passed. He told him that he could not give that much amount as bribe and returned. About 15 days back, he again asked the Mandal Engineer, Sri Hanuma Naik to get his bill passed for which he again told him that he would not get his bill passed if the bribe amount of Rs. 10,000/- demanded by him was not given to him. As he had no other go, he told him that he would look into it for which Sri Hanuma Naik, noted down the measurements of the library renovation work about 10 days back. Again i.e., on 15.02.2011, he met Sri Hanuma Naik, Mandal Engineer, at Parigi and requested him to get the bill pertaining to the library work passed for which he again demanded him an amount of Rs. 10,000/- as bribe and vehemently told him that he would not get the bill passed, if the demanded bribe amount was not given to him. He also told him that he would not get the bill pertaining to the work of Community Hall at S.C. Colony, Parigi taken up by him under M.P. lads also passed. He pleaded him that he could not give that much amount as bribe for which the Mandal Engineer reduced the bribe amount to Rs. 6,000/- saying that if the bribe amount was not given to him, he would not only obstruct the present bill of his library work but also does not pass his bills in other contracts. Hence he accepted to pay the bribe amount to Sri Hanuma Naik while accepting the bribe amount of Rs. 6,000/- from him and do justice to him by punishing him as per law;

3. And whereas, after completing all the legal formalities and after due verification about the antecedents of the A.O. and the genuineness of the complaint, on 17.02.2011 at 10.00 hours, Sri Ch. Sudhakar, Deputy Superintendent of Police, ACB, Anantapur Range, Ananthapur registered the said complaint as a case in Cr. No. 02/RCT-ATP/2011 U/s 7 of the Prevention of Corruption Act, 1988 and took up the investigation. The D.S.P., ACB asked the complainant to come to the office of the D.S.P., A.C.B., Anantapur Range, Anantapur on 17.02.2011 at 1000 hours along with bribe amount of Rs. 6,000/-;

4. And whereas, it is further alleged that during the course of trap, on 17.02.2011 at about 1620 hours, the trap party received the pre arranged signal from the complainant, that the A.O. demanded and accepted the bribe amount of Rs. 6,000/- from him for doing the official favour of processing the bill of the complainant pertaining to the Renovation work of Library building at Parigi taken up by the complainant. The DSP, ACB, Ananthapur, along with the mediators and other trap party members reached the said spot. During the Post Trap Proceedings, the A.O. voluntarily stated before the mediators that he had taken the bribe amount of Rs. 6,000/- from the complainant and held it in his right hand after counting them with his both hands. The both hand fingers of the A.O. yielded positive results when subjected to sodium carbonate test. The tainted currency of Rs. 6,000/- was seized from the possession of the A.O. at the instance of the A.O. in the present of the mediators. The currency note numbers and denomination mentioned in the Pre-Trap Proceedings got tallied with the seized currency notes. All the relevant files and material objects were seized under the cover of Post Trap Proceedings in the present of the mediators.

5. And whereas, the afore said acts of Sri N. Hanuma Naik, S/o. Sri N. Lokya Naik, aged 40 years, Mandal Engineering officer, O/o. M.P.D.O., Parigi Mandal, Anantapur District, constitute the offences punishable under sections 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove the said Sri N. Hanuma Naik, S/o. Sri N. Lokya Naik, aged 40 years, Mandal Engineering Officer, O/o. M.P.D.O., Parigi Mandal, Ananthapur District from service after fully and carefully examining the materials viz., copy of F.I.R., copies of statements of witnesses, copies of documents and other material placed before them, in respect of the said allegations and having regard to the fact and circumstances of the case, consider that the said Sri N. Hanuma Naik, S/o. Sri N. Lokya Naik, aged 40 years, Mandal Engineering Officer, O/o. M.P.D.O., Parigi Mandal, Anantapur District, should be prosecuted in a Court of law for the aforesaid offences.

7. Now, therefore in exercise of the powers conferred under clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh, hereby accord sanction for the prosecution of the above said Sri N. Hanuma Naik, S/o. Sri N. Lokya Naik, aged 40 years, Mandal Engineering Officer, O/o. M.P.D.O., Parigi Mandal, Ananthapur District, for the aforesaid offences punishable under section 7 and sub section (2) of section 13 read with clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences under any other provisions of law for the time being in force in respect of the aforesaid acts for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(V. NAGI REDDY)
PRINCIPAL SECRETARY TO GOVT (PR)

To
The Director General,
Anti-Corruption Bureau,
Hyderabad

Copy to Law (A) Department